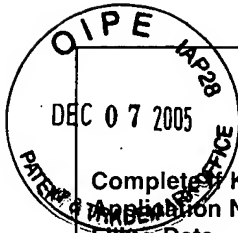


AT-12144
Page 1 of 3



FEE TRANSMITTAL FOR FY 2005

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) 500.00

Completed Known:
 Application No. 10/038,142
 Filing Date 10/22/01
 First Named Inventor Tabatabai
 Examiner Name Bengzon, G.
 Art Unit 2144
 Attorney Docket No. 80398.P433

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify)

Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name: _____

☒ The Director is Authorized to do the following with respect to the above-identified Deposit Account:

Charge fee(s) indicated below.

☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

☐ Charge fee(s) indicated below except for the filing fee

☒ Credit any overpayments.

☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Large Entity		Small Entity		Fee Description		Fees Paid (\$)
Code	Fee (\$)	Code	Fee (\$)			
1011	300	2011	150	Utility application filing fee	1,000/500	
1111	500	2111	250	Utility search fee		
1311	200	2311	100	Utility examination fee		
1012	200	2012	100	Design application filing fee	430/215	
1112	100	2112	50	Design search fee		
1312	130	2312	65	Design examination fee		
1013	200	2013	100	Plant filing fee	660/330	
1113	300	2113	150	Plant search fee		
1313	160	2313	80	Plant examination fee		
1004	300	2004	150	Reissue filing fee	1,400/700	
1114	500	2114	250	Reissue search fee		
1314	600	2314	300	Reissue examination fee		
1005	200	2005	100	Provisional application filing fee		
SUBTOTAL (1) \$						<u>0</u>

2. EXCESS CLAIM FEES

		<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fees Paid (\$)</u>
Total Claims	_____ - 20 or HP = _____		X _____ = _____	
HP = highest number of total claims paid for, if greater than 20				
Independent Claims	_____ - 3 or HP = _____		X _____ = _____	
HP = highest number of independent claims paid for, if greater than 3				
Multiple Dependent Claims			_____ = _____	

<u>Large Entity</u>		<u>Small Entity</u>		
Fee	Fee	Fee	Fee	
Code	(\$)	Code	(\$)	<u>Fee Description</u>
1202	50	2202	25	Each claim over 20
1201	200	2201	100	Each independent claim over 3
1203	360	2203	180	Multiple dependent claims, if not paid
1204	200	2204	100	Reissue: each claim over 20 and more than in the original patent
1205	50	2205	25	Reissue: each independent claim more than in the original patent

SUBTOTAL (2) \$ 0

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each add'l 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
_____	- 100 = _____	/ 50 = _____ (round up to whole number)	X _____	_____

<u>Large Entity</u>		<u>Small Entity</u>		
Fee	Fee	Fee	Fee	
Code	(\$)	Code	(\$)	<u>Fee Description</u>
1081	250	2081	125	Utility
1082	250	2082	125	Design
1083	250	2083	125	Plant
1084	250	2084	125	Reissue

SUBTOTAL (3) \$ 0

FEE CALCULATION (continued)**4. OTHER FEE(S)**

				Fees Paid (\$)	
Non-English Specification, \$130 fee (no small entity discount)					
<u>Large Entity</u>		<u>Small Entity</u>			
Code	Fee (\$)	Code	Fee (\$)	Fee Description	
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	500.00
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1100	2503	550	Plant issue fee	
1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)	
1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)	
1464	130	1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	130	2814	65	Statutory Disclaimer	
1810	790	2810	395	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,370	1454	1,370	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (4) \$ 500.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Sheryl Sue Holloway

Signature: _____

Date: Dec 5, 2005Reg. Number: 37,850Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



City Docket No. 080398.P433

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:) Examiner:	Bengzon, Greg C.
)	
Tabatabai, et al.) Art Unit:	2144
)	
Application No. 10/038,142)	
)	
Filed: October 22, 2001)	
)	
For: DELIVERY OF MULTIMEDIA)	
DESCRIPTORS USING)	
ACCESS UNITS)	
)	

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF UNDER 37 C.F.R. § 41.37

This is an appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner of Group 2144, dated June 13, 2005, which finally rejected claims 1-90 in the above-identified application. Appellant filed for a pre-appeal brief review on September 13, 2005. The decision of the pre-appeal brief conference mailed on November 3, 2005 upheld the rejection of claims 1-90. This Appeal Brief is hereby submitted pursuant to 37 C.F.R. § 41.37(a).

I. REAL PARTY IN INTEREST

The real parties in interest are the joint assignees of the full interest in the invention, Sony Electronics Inc. of Park Ridge, N.J., and Sony Corporation of Tokyo Japan.

II. RELATED APPEALS AND INTERFERENCES

To the best of Appellant's knowledge, there are no appeals or interferences related to the present appeal that will directly affect, be directly affected by, or have a bearing on the Board's decision in the instant appeal.

III. STATUS OF THE CLAIMS

Claims 1-90 are pending in the application and are the subject of this appeal. A copy of claims 1-90 as they stand on appeal are set forth in Appendix A.

IV. STATUS OF AMENDMENTS

No amendments to the claims have been made after receipt of the Final Office Action mailed on June 13, 2005.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Appellant's invention as claimed uses access units to update a multimedia description that comprises multiple fragments. Each access unit comprises a fragment update, which in turn comprises a fragment update command. The access unit is encoded into a data stream for transmission. The fragment update command may specify that a fragment be deleted in the multimedia description at the receiver of the data stream. Alternatively, if the access unit contains a fragment payload, the fragment update command may specify that the payload be added or merged with the multimedia description at the receiver. (Figures 2-4 and paragraphs 35-39 of Appellant's Specification) MPEG-7 multimedia descriptions are an example of multimedia descriptions that may be updated by the claimed invention (paragraphs 27 and 5). Claims 1-21, 31-51 and 61-81 claim the creation and transmitting of the access units. Claims 22-30, 52-60 and 82-90 claim the receiving and usage of the access units.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1. Claims 1-5, 7-35, 37-65 and 67-90 stand rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,751,623 to Basso et al.

2. Claims 6, 36 and 66 stand rejected under 35 U.S.C. § 103(a) over Basso in combination with U.S. Patent 6,549,922 to Srivastava et al. and the W3C press release of November 16, 1999.

VII. ARGUMENTS

1. Claims 1-5, 7-35, 37-65 and 67-90 are Patentable under 35 U.S.C. § 102(e) over Basso.

A. Claims 1-5, 7-21, 31-36, 36-51, 61-65 and 67-8

Claims 1-5, 7-21, 31-36, 36-51, 61-65 and 67-81 stand or fall together. Claim 1 is the representative claim and claims forming an access unit to update a multimedia description. The claimed access unit comprises a fragment update which comprises a fragment update command. An encoded data stream is formed from the access unit.

Basso proposes an intermediate data format for use with MPEG-4 data streams. Basso discloses access units that contain audio-visual data objects, such as a video frame or an audio sample, or timing information for each object in a scene, referred to as scene description data. Basso further discloses that multiple access units are combined into segments to represent the audio-visual data.

However, Basso does not teach or suggest that the access units can be used to update a multimedia description as claimed, and the Examiner appears to be relying on the principle of inherency to support his rejection. The Examiner states that Basso's disclosure in column 25, lines 35-50 "[*forces* the Examiner] to conclude that Basso is referring to manipulating multimedia data other than the actual media data itself (emphasis added)," and that the disclosure in column 4, lines 55-56 "[*forces* the Examiner] to conclude that Basso uses access units to update multimedia descriptions (emphasis added)."

Because inherency cannot be established by probabilities or possibilities, the Examiner is required to provide technical or factual reasoning that the asserted inherent characteristics necessarily flow from the prior art disclosure. The Examiner appears to be equating Basso's scene timing (description) data with Appellant's claimed multimedia

description. Based on this assumption, the Examiner extrapolates that Basso's access unit containing scene timing data must be used to update multimedia data. However, the totality of Basso does not support the Examiner's inherency argument because Basso states only that the scene timing data operates on the content itself, ex., determines when a content object is presented. There is no teaching or suggestion in Basso that the scene timing data can update a multimedia description. Therefore, Appellant respectfully submits that the Examiner has improperly applied the principal of inherency to find that Basso anticipates Appellant's invention as claimed in claim 1.

Even assuming, *arguendo*, that Basso inherently discloses the use of access units to update multimedia descriptions, Basso does not teach or suggest an access unit as claimed by Appellant. Basso describes a proposed MPEG-4 intermediate data format for video content. Basso contains no disclosure that his access unit comprises a fragment update, which in turn comprises a fragment update command that is used to update a multimedia description. Indeed, as well known in the art, the MPEG-4 recommendation is concerned with the delivery and presentation of content data only, and does not specify multimedia descriptions as defined by Appellant.

Accordingly, Basso cannot be properly interpreted as anticipating Appellant's invention as claimed in claim 1, either explicitly or under the principal of inherency.

B. Claims 22-30, 52-60 and 82-90

Claims 22-30, 52-60 and 82-90 stand or fall together. Claim 22 is the representative claim. Claim 22 claims receiving an access unit to update a multimedia description. The access unit comprises a fragment update, which comprises a command and a first fragment reference that is a pointer to a first referenced fragment in a first node.

Because Basso does not disclose Appellant's claimed access unit to update a multimedia description, either explicitly or through the principal of inherency, Basso cannot anticipate Appellant's invention as claimed in claim 22. Furthermore, Basso contains no disclosure of an access unit structured as claimed by Appellant in claim 22. In particular, Basso does not teach or suggest a fragment update that comprises a command and a fragment reference that is a pointer to a fragment in a node.

Accordingly, Basso cannot be properly interpreted as anticipating Appellant's invention as claimed in claim 22, either explicitly or under the principal of inherency.

2. Claims 6, 36 and 66 are Patentable under 35 U.S.C. § 103(a) over the combination of Basso, Srivastava and the W3C press release.

Claims 6, 36 and 66 stand and fall together. Claim 6 is the representative claim and depends from claim 1. Claim 6 further claims that a fragment reference within the fragment update is in Xpath.

Srivastava discloses extracting metadata into a set of annotations and formatting the sets in a standardized form, such as XML. The W3C press release announces XML Path Language (XPath) as a World Wide Web Consortium Recommendation.

Neither Srivastava nor the W3C press release disclose access units as claimed by Appellant in claim 6. Because Basso does not disclose the claimed access units, the combination of Basso, Srivastava and the W3C press release cannot be properly interpreted as rendering obvious Appellant's invention as claimed in claim 6.

VIII. CONCLUSION

Basso does not anticipate Appellant's invention as claimed in claims 1-5, 7-35, 37-65 and 67-90. Furthermore, the combination of Basso, Srivastava and the W3C press release does not render obvious Appellant's invention as claimed in claims 6, 36 and 66. Accordingly, Appellant respectfully requests the Board reverse the rejections of claims 1-5, 7-35, 37-65 and 67-90 under 35 U.S.C. § 102(e) and claims 6, 36 and 66 under 35 U.S.C. § 103(a), and direct the Examiner to enter a Notice of Allowance for claims 1-90.

Fee for Filing a Brief in Support of Appeal

Enclosed is a check in the amount of \$500.00 to cover the fee for filing a brief in support of an appeal as required under 37 C.F.R. §§ 1.17(c) and 41.37(a).

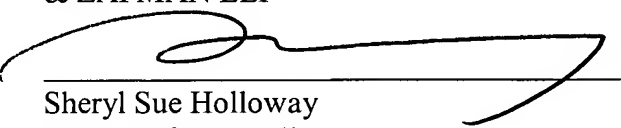
Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Appellant hereby requests such extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR
& ZAFMAN LLP

Dated: December 5, 2005



Sheryl Sue Holloway
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Patent Docket No. 080398.P433

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:)	Examiner:	Bengzon, Greg C.
)		
Tabatabai, et al.)	Art Unit:	2144
)		
Application No. 10/038,142)		
)		
Filed: October 22, 2001)		
)		
For: DELIVERY OF MULTIMEDIA)		
DESCRIPTORS USING)		
ACCESS UNITS)		
_____)		

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**APPENDIX A FOR
APPEAL BRIEF UNDER 37 C.F.R. § 41.37**

1. (Previously Amended) A method comprising:
forming an access unit to update a multimedia description, the access unit comprising a fragment update, the fragment update comprising a fragment update command; and
forming an encoded data stream from the access unit.
2. (Original) The method of claim 1 wherein the fragment update command is selected from the group consisting of add, delete, change, and reset commands.
3. (Previously Amended) The method of claim 1 wherein the fragment update further comprises a value.

4. (Previously Amended) The method of claim 1 wherein the fragment update further comprises a fragment reference wherein the fragment reference is a pointer to a fragment to be used by the fragment update command.
5. (Previously Amended) The method of claim 4 wherein the fragment reference is a uniform resource identifier (URI).
6. (Previously Amended) The method of claim 4 wherein the fragment reference is in XPath.
7. (Original) The method of claim 1 wherein the fragment update further comprises a payload.
8. (Original) The method of claim 4 wherein the fragment is in a first node.
9. (Original) The method of claim 8 wherein the fragment reference is in a second node and the first node and the second node are the same node.
10. (Previously Amended) The method of claim 9 wherein the first node and the second node are in a Moving Picture Experts Group (MPEG) multimedia description.
11. (Original) The method of claim 8 wherein the fragment reference is in a second node and the first node and the second node are different nodes.
12. (Previously Amended) The method of claim 11 wherein the first node and the second node are in a Moving Picture Experts Group (MPEG) multimedia description.
13. (Previously Amended) The method of claim 1 further comprising:
determining if a multimedia description corresponding to the access unit has changed;

identifying a changed portion of the multimedia description and a corresponding access unit; and

forming the fragment update to correspond to the changed portion of the multimedia description.

14. (Original) The method of claim 1 further comprising:
associating the access unit with a partial description.

15. (Original) The method of claim 14 wherein the partial description comprises an instance of a descriptor.

16. (Original) The method of claim 1 further comprising:
associating the access unit with a reset point that contains a fragment that forms a complete description.

17. (Previously Amended) The method of claim 4 wherein the fragment is stored on a different system than a system performing the method of claim 1.

18. (Original) The method of claim 1 wherein the access unit corresponds to a description, and further comprising:
transmitting the encoded data stream while the description is static.

19. (Original) The method of claim 1 wherein the access unit corresponds to a description, and further comprising:
transmitting the encoded data stream while the description is dynamic.

20. (Previously Amended) The method of claim 1 further comprising:
transmitting a data for decoding to a decoder.

21. (Original) The method of claim 20 wherein the data include schemas defining a description data to be transmitted.

22. (Previously Amended) A method comprising:

receiving an access unit to update a multimedia description, the access unit comprising a fragment update, wherein the fragment update comprises a command and a first fragment reference, and wherein the first fragment reference is a pointer to a first referenced fragment in a first node.

23. (Original) The method of claim 22 wherein the first referenced fragment is a partial description.

24. (Original) The method of claim 22 further comprising:

comparing the first referenced fragment to a stored fragment; and
obtaining the stored fragment if the stored fragment is the first referenced fragment.

25. (Original) The method of claim 22 wherein the first fragment reference is in hyper-text transfer protocol (HTTP).

26. (Previously Amended) The method of claim 22 wherein the access unit is a part of a Moving Picture Expert Group (MPEG) multimedia description.

27. (Original) The method of claim 22 further comprising:

identifying a second node which the command affects; and
identifying a second fragment reference which the first fragment reference points to, wherein the second fragment reference points to the first referenced fragment.

28. (Original) The method of claim 22 wherein the fragment update further comprises a payload.

29. (Original) The method of claim 27, wherein the second fragment reference points to a second referenced fragment within the first node, further comprising:

replacing the first fragment reference with a third fragment reference pointing to the second referenced fragment.

30. (Original) The method of claim 27, wherein the second fragment reference points to a second referenced fragment within the first node, further comprising:

replacing the first fragment reference with a third fragment reference pointing to a third referenced fragment within the second node.

31. (Previously Amended) A computer-readable medium having executable instructions to cause a computer to perform a method comprising:

forming an access unit to update a multimedia description, the access unit comprising a fragment update, the fragment update comprising a fragment update command; and

forming an encoded data stream from the access unit.

32. (Previously Presented) The computer-readable medium of claim 31, wherein the fragment update command is selected from the group consisting of add, delete, change, and reset commands.

33. The computer-readable medium of claim 31, wherein the fragment update further comprises a value.

34. The computer-readable medium of claim 31, wherein the fragment update command further comprises a fragment reference, and wherein the fragment reference is a pointer to a fragment to be used by the fragment update command.

35. (Previously Presented) The computer-readable medium of claim 34, wherein the fragment reference is a uniform resource identifier (URI).

36. (Previously Presented) The computer-readable medium of claim 34, wherein the fragment reference is in XPath.

37. (Previously Presented) The computer-readable medium of claim 34, wherein the fragment is stored on a different computer.

38. (Previously Presented) The computer-readable medium of claim 34, wherein the fragment is in a first node.

39. (Previously Presented) The computer-readable medium of claim 38, wherein the fragment reference is in a second node and the first node and the second node are the same node.

40. (Previously Amended) The computer-readable medium of claim 39, wherein the first node and the second node are in a Moving Picture Experts Group (MPEG) multimedia description.

41. (Previously Presented) The computer-readable medium of claim 38, wherein the fragment reference is in a second node and the first node and the second node are different nodes.

42. (Previously Amended) The computer-readable medium of claim 41, wherein the first node and the second node are in a Moving Picture Experts Group (MPEG) multimedia description.

43. (Previously Presented) The computer-readable medium of claim 31, wherein the fragment update further comprises a payload.

44. (Previously Presented) The computer-readable medium of claim 31, wherein the method further comprises:

determining if a multimedia description corresponding to the access unit has changed;

identifying a changed portion of the multimedia description and a corresponding access unit; and

forming the fragment update to correspond to the changed portion of the multimedia description.

45. (Previously Presented) The computer-readable medium of claim 31, wherein the method further comprises:

associating the access unit with a partial description.

46. (Previously Presented) The computer-readable medium of claim 45, wherein the partial description comprises an instance of a descriptor.

47. (Previously Presented) The computer-readable medium of claim 31, wherein the method further comprises:

associating the access unit with a reset point that contains a fragment that forms a complete description.

48. (Previously Presented) The computer-readable medium of claim 31, wherein the access unit corresponds to a description, and the method further comprises:

transmitting the encoded data stream while the description is static.

49. (Previously Presented) The computer-readable medium of claim 31, wherein the access unit corresponds to a description, and the method further comprises:

transmitting the encoded data stream while the description is dynamic.

50. (Previously Presented) The computer-readable medium of claim 31, wherein the method further comprises:

transmitting a data for decoding to a decoder.

51. (Previously Presented) The computer-readable medium of claim 50, wherein the data include schemas defining a description data to be transmitted.

52. (Previously Amended) A computer-readable medium having executable instruction to cause a computer to perform a method comprising:

receiving an access unit to update a multimedia description, the access unit comprising a fragment update, wherein the fragment update comprises a command and a first fragment reference, and wherein the first fragment reference is a pointer to a first referenced fragment in a first node.

53. (Previously Presented) The computer-readable medium of claim 52, wherein the first referenced fragment is a partial description.

54. (Previously Presented) The computer-readable medium of claim 52, wherein the method further comprises:

comparing the first referenced fragment to a stored fragment; and
obtaining the stored fragment if the stored fragment is the first referenced fragment.

55. (Previously Presented) The computer-readable medium of claim 52, wherein the first fragment reference is in hyper-text transfer protocol (HTTP).

56. (Previously Amended) The computer-readable medium of claim 52, wherein the access unit is a part of a Moving Picture Expert Group (MPEG) multimedia description.

57. (Previously Presented) The computer-readable medium of claim 52, wherein the method further comprises:

identifying a second node which the command affects; and
identifying a second fragment reference which the first fragment reference points to, wherein the second fragment reference points to the first referenced fragment.

58. (Previously Presented) The computer-readable medium of claim 57, wherein the second fragment reference points to a second referenced fragment within the first node, and the method further comprises:

replacing the first fragment reference with a third fragment reference pointing to the second referenced fragment.

59. (Previously Presented) The computer-readable medium of claim 57, wherein the second fragment reference points to a second referenced fragment within the first node, and the method further comprises:

replacing the first fragment reference with a third fragment reference pointing to a third referenced fragment within the second node.

60. (Previously Presented) The computer-readable medium of claim 52, wherein the fragment update further comprises a payload.

61. (Previously Amended) A system comprising:

a processor coupled to a memory through a system bus; and

a encode process executed by the processor from the memory to cause the processor to form an access unit to update a multimedia description and form an encoded data stream from the access unit, the access unit comprising a fragment update, and the fragment update comprising a fragment update command.

62. (Previously Presented) The system of claim 61, wherein the fragment update command is selected from the group consisting of add, delete, change, and reset commands.

63. (Previously Presented) The system of claim 61, wherein the fragment update further comprises a value.

64. (Previously Presented) The system of claim 61, wherein the fragment update further comprises a fragment reference wherein the fragment reference is a pointer to a fragment to be used by the fragment update command.

65. (Previously Presented) The system of claim 61, wherein the fragment reference is a uniform resource identifier (URI).

66. (Previously Presented) The system of claim 61, wherein the fragment reference is in XPath (extensible markup language path language).

67. (Previously Presented) The system of claim 64, wherein the fragment is stored on a different system.

68. (Previously Presented) The system of claim 64, wherein the fragment is in a first node.

69. (Previously Presented) The system of claim 68, wherein the fragment reference is in a second node and the first node and the second node are the same node.

70. (Previously Amended) The system of claim 69, wherein the first node and the second node are in a Moving Picture Experts Group (MPEG) multimedia description.

71. (Previously Presented) The system of claim 68, wherein the fragment reference is in a second node and the first node and the second node are different nodes.

72. (Previously Amended) The system of claim 71, wherein the first node and the second node are in a Moving Picture Experts Group (MPEG) multimedia description.

73. (Previously Presented) The system of claim 61, wherein the fragment update further comprises a payload.

74. (Previously Presented) The system of claim 61, wherein the encode process further causes the processor to determine if a multimedia description corresponding to the access unit has changed, identify a changed portion of the multimedia description and a corresponding access unit, and form the fragment update to correspond to the changed portion of the multimedia description.

75. (Previously Presented) The system of claim 61, wherein the encode process further causes the processor to associate the access unit with a partial description.

76. (Previously Presented) The system of claim 75, wherein the partial description comprises an instance of a descriptor.

77. (Previously Presented) The system of claim 61, wherein the encode process further causes the processor to associate the access unit with a reset point that contains a fragment that forms a complete description.

78. (Previously Presented) The system of claim 61, wherein the access unit corresponds to a description, and the encode process further causes the processor to transmit the encoded data stream through a network interface coupled to the processor through the system bus while the description is static.

79. (Previously Presented) The system of claim 61, wherein the access unit corresponds to a description, and the encode process further causes the processor to transmit the encoded data stream through a network interface coupled to the processor through the system bus while the description is dynamic.

80. (Previously Presented) The system of claim 61, wherein the encode process further causes the processor to transmit a data for decoding to a decode process through a network interface coupled to the processor through the system bus.

81. (Previously Presented) The system of claim 80, wherein the data include schemas defining a description data to be transmitted.

82. (Previously Amended) A system comprising:

a processor coupled to a memory through a system bus; and

a decode process executed by the processor from the memory to cause the processor to receive an access unit to update a multimedia description, the access unit comprising a fragment update, wherein the fragment update comprises a command and a first fragment reference, and wherein the first fragment reference is a pointer to a first referenced fragment in a first node.

83. (Previously Presented) The system of claim 82, wherein the first referenced fragment is a partial description.

84. (Previously Presented) The system of claim 82, wherein the decode process further causes the processor to compare the first referenced fragment to a stored fragment, and obtain the stored fragment if the stored fragment is the first referenced fragment.

85. (Previously Presented) The system of claim 82, wherein the first fragment reference is in hyper-text transfer protocol (HTTP).

86. (Previously Amended) The system of claim 82, wherein the access unit is a part of a Moving Picture Expert Group (MPEG) multimedia description.

87. (Previously Presented) The system of claim 82, wherein the decode process further causes the processor to identify a second node which the command affects, and identify a second fragment reference which the first fragment reference points to, wherein the second fragment reference points to the first referenced fragment.

88. (Previously Presented) The system of claim 87, wherein the second fragment reference points to a second referenced fragment within the first node, and the decode

process further causes the processor to replace the first fragment reference with a third fragment reference pointing to the second referenced fragment.

89. (Previously Presented) The system of claim 87, wherein the second fragment reference points to a second referenced fragment within the first node, and the decode process further causes the processor to replace the first fragment reference with a third fragment reference pointing to a third referenced fragment within the second node.

90. (Previously Presented) The system of claim 82, wherein the fragment update further comprises a payload.